

NOV 03 1988

EXPRESS MAIL-
RETURN RECEIPT REQUESTED

Mr. Thomas Armstrong
General Electric Company
3135 Easton Turnpike - W1A
Fairfield, CT 06431

Re: SCP-Carlstadt Site, Administrative Orders Index No.
II-CERCLA-50114 and II-CERCLA-60102

Dear Mr. Armstrong:

This letter serves to confirm the discussions during our meeting held on October 31, 1988 at EPA's Region II office in New York City. The purpose of the meeting was to discuss several of EPA's concerns relative to Respondents' performance of the RI/FS for the SCP-Carlstadt site, pursuant to the above-referenced administrative orders ("the Orders"). EPA representatives requested the meeting to discuss our concerns; you and Bruce Jernigan, of BFI, represented Respondents at the meeting.

EPA expressed its concern regarding the Respondents' failure to have any individual act in the role of Facility Coordinator, as required by the Orders. Since May, 1988, the role has been vacant, with Respondents' counsel, William Warren, acting as the primary contact for all technical, as well as other issues. The Agency finds this situation unacceptable and believes it may represent a violation of the Orders. EPA stressed the importance of the Facility Coordinator's role. It was agreed that the lack of such a coordinator may have seriously impeded the progress of the RI/FS at this site.

EPA reiterated its demand that Respondents identify a Facility Coordinator immediately. The Agency also insisted that the selected individual must have the necessary authority to make decisions and respond to Agency concerns. Mr. Jernigan stated that the Technical Committee ("the Committee") has met several times and has discussed this issue; however, a Facility Coordinator has yet to be identified to EPA. Mr. Jernigan indicated that he thought it might take a few weeks for the group to select a Facility Coordinator. EPA insisted that someone be named on an interim basis immediately.

EPA expressed dissatisfaction over the lack of progress and the apparent poor management of the RI/FS over the past ten months. EPA reiterated discussions (which took place at a meeting with the Committee during February, 1988), in which EPA directed the Committee to immediately begin a Feasibility Study (FS) for a source control remedial action. At that time, EPA explained that this operable unit approach would be designed to address the most heavily contaminated zones at the site, i.e., source control, while simultaneously continuing the assessment of off-site groundwater quality, surface water quality, the bedrock aquifer, etc. Dames & Moore seemed to understand this concept at that time, and initiated the FS, calling it the "On-site Source Control" FS. EPA fully expected that a Draft FS report, evaluating source control remedies, would be submitted to the Agency early this Fall.*

In late September, EPA was shocked to learn that the Committee felt that additional studies would be required to complete the FS. The Committee indicated at a meeting held September 20, 1988 that the FS could not be completed without resolution of certain issues (i.e., ARARs) and without accomplishment of additional work, (i.e., treatability testing for groundwater, determination of recharge/discharge relationships, and the Bedrock Aquifer investigation). During our discussions Mr. Jernigan stated that the FS was in fact, presently "at a standstill".

We discussed EPA's position that while this additional work should be commenced as soon as possible, it should not preclude the completion of an on-site source control FS. EPA directed you to complete this source control FS as soon as possible. This FS should evaluate alternatives to remediate the most heavily contaminated zones at the SCP-Carlstadt site, i.e. the soils and the shallow groundwater located above the clay layer. It is my understanding that the Respondents agree to this operable unit approach. The only concern you expressed at our meeting is that any remedy selected for the source should be consistent with future on-site and off-site remedies. EPA agreed with this need for consistency. However, EPA reiterated its view that any remedy which includes treatment of heavily contaminated soils would reduce the primary source of contamination, and should therefore inherently be consistent with future site remedies.

* A review of correspondence concerning the schedule for this source control FS clearly indicates the Draft FS Report was due by no later than October 17, 1988.

Mr. Jernigan stated that he thought some of the proposed additional studies might be necessary to determine "performance standards" for any operable unit source control remedy. EPA disagreed. EPA explained that performance standards for this source control remedy would be technology-based. EPA will make a determination of performance standards for soil based on an assessment of New Jersey soil cleanup objectives (previously provided to the Committee as "To Be Considered" material in our transmittal of July 27, 1988) coupled with an evaluation of attainable treatment standards for specific technologies.

EPA explained that the first two chapters of the FS (submitted under the title "Alternatives Array Document" in June, 1988), revealed a lack of understanding of the complexities of the treatment processes which may be required for this site. EPA does not believe that one discrete treatment technology will be effective in soils remediation. Remediation will most likely necessitate combinations of technologies applied in sequence. EPA made this clear to Dames & Moore in our comments on their submittal, and assumes that Dames & Moore has resolved this deficiency in their remaining FS activities.

Mr. Jernigan and yourself stated that the Committee has contemplated hiring additional contractor resources to assist Dames & Moore with the FS. Since EPA feels that this FS must be completed as soon as possible, EPA has no objection to that approach. EPA urged you to obtain all necessary technical expertise, including utilizing the in-house resources of various Respondents who may be involved in treatment technology research.

Finally, EPA informed you that the Draft RI Report which was submitted by Respondents on September 20, 1988 is unacceptable to the Agency. This Report was not revised in accordance with all of the comments which EPA provided to Respondents on August 8, 1988. EPA informed you that we will revise the September 20th version, and provide you with a copy of the Draft RI Report with the required changes noted on it for your retyping. The Agency expects that its revisions to the Draft RI Report will be made promptly.

EPA advised you that if the Respondents fail to resolve the above issues, including demonstration of innovative approaches to remediation and completion of a source control FS in a timely manner, EPA will instruct its consultants to complete an FS for source control remedy.

You agreed to inform my staff of your progress with regard to resolving the above issues on or before November 7, 1988. You stated that within three weeks, you would identify a Facility Coordinator and inform EPA as to whether you intend to obtain additional contractor resources to complete the FS work.

If you have any further questions regarding this matter, or if the above does not reflect your understanding of our discussions, please contact Janet Feldstein or James Schmidtberger, of my staff at (212) 264-2646 or James Rooney of the Office of Regional Counsel at (212) 264-3297.

Sincerely yours,

Raymond Basso, Acting Chief
Site Compliance Branch

cc: Bruce Jernigan, BFI
William Warren, Esq.
Pamela Lange, NJDEP

bcc: ✓ J. Schmidtberger, ERRD-SCB
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